IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John Kelley et al.) Examiner:) Attorneys' Ref. P313210 Serial No.:) Art Unit: Filing Date: February 05, 2001

INFORMATION DISCLOSURE STATEMENT

DATA TRACKING METHOD

AND APPARATUS

Assistant Commissioner for Patents U.S. Patent & Trademark Office Washington, D.C. 20231

Sir:

Title:

In accordance with 37 CFR §1.56, the Applicant(s) respectfully submit(s) this Information Disclosure Statement to call to the attention of the Examiner the references listed on the attached Form PTO-1449 for consideration in the prosecution of the above-referenced application for U.S. patent. Copies of these references are attached hereto for the Examiner's convenience, along with an appropriately completed Form PTO-1449.

It is believed that no fee is due at this time to maintain this application in full force and effect, but if any such fee is due, please charge this to Deposit account number 08-3260.

Certificate of Mailing (37 CFR 1.8a)

I hereby certify that this document (along with any document referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on date shown below.

Robin Fry

Date

REMARKS

U.S. 6,078,891 Riordan et al., shows a system and method to track point-of-sale information and send this information through the Internet to an inventory database. The architecture requires a payment vehicle scanner 107 to track the sale of goods. The disclosure is directed toward a retail environment.

U.S. 6,070,147 Harms et al., shows a method and system that records buying information which is associated with an official ID. The official information is used to extract data from third party databases to retrieve demographics about the consumers. The invention removes the need for consumers to have additional membership cards other than their government ID (e.g. driver's license).

U.S. 5,963,914 Skinner et al., shows a system that allows employers to keep track of their employees' activity on the computer. As seen in figure 3 the flow diagram illustrates how the keystrokes are recorded to a file. The disclosure is directed to solve telecommuting problems where employee's lack of diligence is an issue.

U.S. 5,924,077 Beach et al., shows a system where point-of-sale data is tracked to evaluate business performance.

U.S. 5,592,549 Nagel et al., is a less relevant disclosure dealing with an encryption of data as it is transferred across the network.

CONCLUSION

The Applicant respectfully submits that the attached references, taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the pending application is respectfully requested.

If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this February 05, 2001.

Respectfully submitted,

John Kelley et al.

MICHAEL F. HUGHES, Reg. No. 41,084 Hughes & Schacht, P.L.L.C. 2801 Meridian Street, Suite 1 Bellingham, WA 98225-2412 (360) 647-1296

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| Application Number | | | | | | |
| Filing Date | February 05, 2001 | T | | | | |
| First Named Inventor | John Kelley | | | | | |
| Group Art Unit | | Ŋ | | | | |
| Examiner Name | | <u>U</u> . | | | | |
| Attorney Docket Number | P313210 | 33 | | | | |
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| U.S. PATENT DOCUMENTS | | | | | | |
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| Examiner Initials* | Cite No. ² | U.S. Patent Number | Code ² | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | 6,070,147 | | Harms et al. | | |
| | | 5,963,914 | | Skinner et al. | | |
| | | 5,924,077 | | Beach et al. | | |
| | | 5,592,549 | | Nagel et al. | | |
| | | 6,078,891 | | Riordan et al. | | 16.7 |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
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| Examiner | Cite | Foreign Patent Document | | | Name of Patentee or | Date of Publication of | Pages, Columns, Lines, Where Relevant | |
| Initials* | No. ¹ | Office ³ | Number | Kind Code ⁵ (if known) | Applicant of Cited Document | Cited Document MM-DD-YYYY | Passages or Relevant Figures Appear | T⁵ |
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number 2 See attached Kinds of U.S. Patent Documents 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3) 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible 6 Applicant is to place a check mark here if English language Translation is attached.